

Appl. No. 09/802,291
Amtd. dated December 20, 2004
Preliminary Amendment

PATENT

REMARKS/ARGUMENTS

Amendments

The claims are modified in the amendment. More specifically, claims 1, 8, 12, 16, 17, and 18 have been amended, claims 6 and 7 have been cancelled, and new claims 21 and 22 have been added. Therefore, claims 1-5 and 8-22 are present for examination. Applicant reserves the right to pursue any canceled claims in a continuing application without any prejudicial effect. No new matter is added by these amendments, which are fully supported by the specification. Applicant respectfully requests reconsideration of this application as amended.

Interview

Today, the Examiner granted an interview to discuss the rejections presented by the Office before the RCE was filed and the above amendment. No agreement was sought nor was any agreement reached in this interview as this was just a courtesy call to explain our argument and bring the new Examiner up to speed. The Applicant appreciates the granting of this interview and the preparation done before hand by the Examiner.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 09/802,291
Amdt. dated December 20, 2004
Preliminary Amendment

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Thomas D. Franklin
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
TDF:cmb
60349331 v1